

Mortgage Servicing Rule Assessment Outreach on servicing practices

The Consumer Financial Protection Bureau is assessing how its RESPA/Regulation X mortgage servicing rules that took effect January 10, 2014 (2014 Mortgage Servicing Rule) have affected servicing practices.¹

We want to hear about your experiences and to get your perspective. The survey below asks about your observations and experiences of servicing practices before and after the 2014 Mortgage Servicing Rule took effect. We expect it to take around [30 to 60] minutes. To help ensure that our understanding of the 2014 Mortgage Servicing Rule's effects reflect the experiences of all types of housing counselors, please complete the survey by [date].

Is this anonymous?

Neither you nor your organization will be identified in any reports we produce, and we will not disclose information in a manner allowing attribution to specific organizations or individuals unless required by law. We expect to use your responses to inform our analysis. Data and comments might appear without attribution in our reports, often aggregated with others' responses.

Privacy Act Statement

5 U.S.C. 552(a)(e)(3)

The information you provide through your survey responses to the Consumer Financial Protection Bureau ("CFPB") will assist in assessing the RESPA/Regulation X mortgage servicing rules.

The CFPB will obtain and access basic contact information such as your name, organizational affiliation, title, city, state, email, and phone number.

Information collected by the CFPB will be treated in accordance with the System of Records Notice ("SORN"), [CFPB.022 Market and Consumer Research Records, 77 FR 67802](#). This information will not be disclosed as outlined in the Routine Uses for the SORN. Direct identifying information will only be used to facilitate the study and will be kept private except as required by law.

This collection of information is authorized by Pub. L. No. 111-203, Title X, Sections 1013 and 1022, codified at 12 U.S.C. §§ 5493 and 5512.

Participation in this study is voluntary, you are not required to participate or share any identifying information. However, if you do not include the requested information, you may not participate in the survey.

¹ We released our [plan for conducting the assessment in May 2017](#). As noted in the plan, this assessment is required by Section 1022(d) of the Dodd-Frank Wall Street Reform and Consumer Protection Act.

Paperwork Reduction Act Statement

According to the Paperwork Reduction Act of 1995, an agency may not conduct or sponsor, and not withstanding any other provision of law a person is not required to respond to a collection of information unless it displays a valid OMB control number. The OMB control number for this collection is 3170-0032. It expires on 5/31/2019. The time required to complete these information collection is estimated to average 30 to 60 minutes per response. The obligation to respond to this collection of information is voluntary. Comments regarding this collection of information, including the estimated response time, suggestions for improving the usefulness of the information, or suggestions for reducing the burden to respond to this collection should be submitted to Bureau at the Consumer Financial Protection Bureau (Attention: PRA Office), 1700 G Street NW, Washington, DC 20552, or by email to CFPB_PRA@cfpb.gov.

- I. Contact information
 1. Organization name.
 2. Organization type [Counseling agency, legal services, private attorney, other]
 3. City.
 4. State.
 5. Name of person completing survey (optional).
 6. Job title of person completing the survey
 7. May we contact you if clarification is needed?
 - i. Y/N
 - ii. If yes, please provide your email address and/or phone number:
 - a. Email.
 - b. Phone.

- II. Your counseling activities.
 1. During the following periods, approximately how many new or ongoing clients did you personally counsel **on mortgage servicing matters** during a typical week? (Please include clients that you counseled in person, by phone, or by email.)
 - a. Between January 1, 2012 – December 31, 2013?
 - i. 1 – 10 clients per week
 - ii. 11 – 25 clients per week
 - iii. 26 – 50 clients per week
 - iv. 51 or more clients per week
 - b. Between January 1, 2015 – December 31, 2016?
 - i. 1 – 10 clients per week

- ii. 11 – 25 clients per week
 - iii. 26 – 50 clients per week
 - iv. 51 or more clients per week
2. During the following periods, did you supervise housing counselors or attorneys who counseled clients on mortgage servicing matters?
 - a. Between January 1, 2012 – December 31, 2013? [Yes/No]
 - b. Between January 1, 2015 – December 31, 2016? [Yes/No]
3. Approximately what share of your clients would you say have limited English proficiency (that is, they do not speak English as their primary language and have a limited ability to speak, write, or understand English)? [None, <25%, 25% to 49%, 50% to 74%, 75% or more]

The remainder of the survey asks your observations on whether various provisions of the 2014 Mortgage Servicing Rule were effective and whether the provision contributed to improved borrower outcomes, such as avoiding foreclosure. We'll ask a few questions about [eleven] parts of the rule.

Please answer the following questions based on your own experience and opinion. In answering, please consider both those clients you counseled personally and those whose cases you knew well because they were counseled by individuals you supervised, and please consider clients counseled in the years listed above (2012–2013 or 2015–2016).

Many questions in the survey ask about the frequency with which certain events occur and give the options Never, Rarely, Sometimes, Often and Always. For purposes of this survey, these terms mean the following:

Never – Never occurs

Rarely – Does occur, but not in more than 1 in 10 cases

Sometimes – Occurs in more than 1 in 10 cases, but not more than half of cases

Often – Occurs in more than half of cases, but not all cases

Always – Occurs in all cases

Some questions ask whether particular provisions have improved outcomes for your clients. “Outcomes” can refer both to the ultimate result of the delinquency (e.g. whether clients are able to avoid foreclosure) and to other outcomes that matter to clients, such as payment of fees.

III. Early intervention – live contact. The 2014 Mortgage Servicing Rule generally requires servicers to make good faith efforts to establish live contact with borrowers soon after a delinquency begins. This might include, for example, telephoning the borrower on more than one occasion or sending written or electronic communication encouraging the borrower to contact the servicer.

1. When you counsel clients on mortgage servicing matters, how common is it for you to discuss the servicer’s practices for making live contact?

- a. Never
- b. Only in a few cases
- c. In many cases but not most
- d. In most cases

[For all topics: If answer to Q1 is 1 or 2, then skip to next topic.]

- 2. Do you think the live contact requirements are effective in helping your clients?
 - a. Yes
 - b. Somewhat
 - c. No

[For all topics: If the answer to Q2 is “No” skip to Q4]

- 3. When the live contact requirements are effective in helping your clients, why do you think they are effective? (for each, responses range from 1-5 (Never → Always) + N/A)
 - i. They help your clients understand their options.
 - ii. Your clients receive information about the delinquency or their options in a timely manner.
 - iii. They motivate your clients to begin a loss mitigation application.
 - iv. They help your clients complete a loss mitigation application.
 - v. They help your clients resolve the delinquency without a foreclosure sale.
 - vi. Are there other ways in which the live contact requirements help your clients? [open text box]
- 4. When the live contact requirements are NOT effective in helping your clients, how often is it due to the following? (for each, responses range from 1-5 (Never → Always) + N/A)
 - a. The servicer does not establish contact with your client in a timely manner.
 - b. The servicer’s communications are not understandable to clients who have limited English proficiency.
 - c. The servicer’s communications are not understandable to clients who understand English well.
 - d. The servicer does not provide useful information.
 - e. The client does not respond even though the servicer’s communications provide useful information.
 - f. Other problems with early intervention or loss mitigation mean the live contact requirements are not beneficial to your clients.
- 5. Compare clients you counseled or whose cases you knew well during the 2015-2016 period to clients in 2012–2013 period, before the rule took effect. Have the live contact rules IMPROVED outcomes for your clients?
 - a. 1-5 (No improvement → Large improvement).

- b. If you saw any improvement, what outcomes improved? [Open text box]
6. If you have observed NO or little improvement in borrower outcomes for your clients since the live contact rule took effect, why do you think that is the case?
 - a. Many servicers already had similar live contact practices before the rule.
 - b. The live contact rule isn't helping borrowers for one or more of the reasons identified in question 4.
 - c. Some other reason [open text box].
 7. Do you have other comments on the effectiveness of the live contact requirements?
 - a. [Open text box.]

IV. **Early Intervention – written notice.** In addition to live contact, the 2014 Mortgage Servicing Rule generally requires servicers to provide a written early intervention notice containing applicable loss mitigation information and the servicer's contact information, among other information.

1. When you counsel clients on mortgage servicing matters, how common is it for you to discuss the servicer's early intervention written notices?
 - a. Never
 - b. Only in a few cases
 - c. In many cases but not most
 - d. In most cases
2. Do you think the written notice requirements are effective in helping your clients?
 - a. Yes
 - b. Somewhat
 - c. No
3. When the written notice requirements are effective in helping your clients, why do you think they are effective? (for each, responses range from 1-5 (Never → Always) + N/A):
 - a. They help your clients understand their options.
 - b. Your clients receive information about the delinquency or loss mitigation promptly.
 - c. They prompt your clients to initiate a loss mitigation application.
 - d. They help your clients complete a loss mitigation application.
 - e. They help your clients resolve the delinquency without a foreclosure sale.
 - f. Other [open text box]
4. When the written notice requirements are NOT effective in helping your clients, how often is it due to the following? (for a-e, responses range from 1-5 (Never → Always) + N/A)
 - a. The servicer does not comply with the written notice requirements.

- b. The servicer's communications are not understandable to clients who have limited English proficiency.
 - c. The servicer's communications are not understandable to clients who understand English well.
 - d. The servicer does not provide useful information.
 - e. The client does not respond even though the servicer's communications provide useful information.
 - f. The homeowner attempts to contact the servicer about the notice, but the servicer is unresponsive
 - g. Other problems with early intervention or loss mitigation mean the written notice requirements are not making a difference.
5. Compare 2015-2016 to the period before the rules took effect on January 10, 2014. Have the written notice requirements IMPROVED outcomes for your clients?
 - a. 1-5 (No improvement → Large improvement).
 - b. If you saw any improvement, what outcomes improved? [Open text box]
 6. If you have observed NO improvement (or little improvement) in borrower outcomes since the rule took effect, why do you think that is the case?
 - a. Many servicers already followed a similar policy before the rule.
 - b. The rule isn't helping borrowers for one or more of the reasons identified in question 4.
 - c. Some other reason [open text box].
 7. Do you have other comments on the effectiveness of the written notice requirements?
 - a. [Open text box.]

V. **Loss mitigation application – written acknowledgment.** Upon receiving an incomplete loss mitigation application, the 2014 Mortgage Servicing Rule generally requires servicers to provide a written acknowledgment notice stating the additional documents and information required from the borrower to complete the application.

1. When you counsel clients on mortgage servicing matters, how common is it for you to discuss the servicer's written acknowledgement notices?
 - a. Never
 - b. Only in a few cases
 - c. In many cases but not most
 - d. In most cases
2. Do you think the written acknowledgment requirements are effective in helping your clients?
 - a. Yes
 - b. Somewhat
 - c. No

3. When the written acknowledgment requirements are effective in helping your clients, why do you think they are effective? (for each, responses range from 1-5 (Never → Always) + N/A):
 - a. They help your clients understand what additional documents and information the servicer requires from your clients for a complete application.
 - b. They prompt your clients to take action to complete their loss mitigation application.
 - c. Other [open text box]
4. When the written acknowledgment requirements are NOT effective in helping your clients, how often is it due to the following? (for each, responses range from 1-5 (Never → Always) + N/A)
 - a. The servicer does not promptly provide the written acknowledgment notice.
 - b. The content of the written acknowledgment notice is not understandable to clients who have limited English proficiency.
 - c. The content of the written acknowledgment notice is not understandable to clients who understand English well.
 - d. The written acknowledgement notice is not specific enough.
 - e. The client does not respond even though the servicer's communications provide useful information.
 - f. Other problems with early intervention or loss mitigation mean the written acknowledgment requirements are not making a difference.
5. Compare 2015-2016 to the period before the rules took effect on January 10, 2014. Have the written acknowledgment requirements IMPROVED outcomes for your clients?
 - a. 1-5 (No improvement → Large improvement).
 - b. If you saw any improvement, what outcomes improved? [Open text box]
6. If you have observed NO improvement (or little improvement) in borrower outcomes since the rule took effect, why do you think that is the case?
 - a. Many servicers already followed a similar policy before the rule.
 - b. The rule isn't helping borrowers for one or more of the reasons identified in question 4.
 - c. Some other reason [open text box].
7. Do you have other comments on the effectiveness of the written acknowledgment requirements?
 - a. [Open text box.]

VI. **Loss mitigation – continuity of contact.** The 2014 Mortgage Servicing Rule generally requires servicers to maintain policies and procedures reasonably designed to provide

delinquent consumers with access to personnel who can assist them with loss mitigation options where applicable. Servicers must design these policies and procedures so that consumers can reach the assigned personnel by phone and such personnel can respond to consumer inquiries and, as applicable, help them pursue loss mitigation options.

1. When you counsel clients on mortgage servicing matters, how common is it for you to discuss the servicer's continuity of contact policies?
 - a. Never
 - b. Only in a few cases
 - c. In many cases but not most
 - d. In most cases

2. Do you think the continuity of contact requirements are effective in helping your clients?
 - a. Yes
 - b. Somewhat
 - c. No
 - a.

3. When the continuity of contact requirements are effective in helping your clients, why do you think they are effective? (for each, responses range from 1-5 (Never → Always) + N/A):
 - a. They help your clients obtain accurate information about loss mitigation applications.
 - b. They help your clients complete a loss mitigation application.
 - c. They reduce the amount of time it takes for your clients to complete a loss mitigation application.
 - d. They help your clients resolve the delinquency without a foreclosure sale.
 - e. Other [open text box]

4. When the continuity of contact requirements are NOT effective in helping your clients, how often is it due to the following? (for each, responses range from 1-5 (Never → Always) + N/A)
 - a. You or your client have difficulty reaching servicer personnel or obtaining a timely response to questions.
 - b. Servicer personnel are not able to provide accurate information about the client's loss mitigation application.
 - c. The servicer does not adequately communicate with consumers who have limited English proficiency.
 - d. Other problems with early intervention or loss mitigation mean continuity of contact rules are not making a difference.

5. Compare 2015-2016 to the period before the rules took effect on January 10, 2014. Have the continuity of contact requirements IMPROVED outcomes for your clients?
 - a. 1-5 (No improvement → Large improvement)

- b. If you saw any improvement, what outcomes improved? [Open text box]
- 6. If you have observed NO improvement (or little improvement) in borrower outcomes since the rule took effect, why do you think that is the case?
 - a. Many servicers already followed a similar policy before the rule.
 - b. The rule isn't helping borrowers for one or more of the reasons identified in question 4.
 - c. Some other reason [open text box].
- 7. Do you have other comments on the effectiveness of the reasonable diligence rules?
 - a. [Open text box.]

VII. **Loss mitigation – reasonable diligence.** Upon receiving an incomplete loss mitigation application, the 2014 Mortgage Servicing Rule generally requires servicers to exercise reasonable diligence in obtaining documents and information to complete the application. Reasonable diligence may include contacting a consumer promptly to obtain additional required information by phone or mail.

- 1. When you counsel clients on mortgage servicing matters, how common is it for you to discuss the servicer's reasonable diligence policies?
 - a. Never
 - b. Only in a few cases
 - c. In many cases but not most
 - d. In most cases
- 2. Do you think the reasonable diligence requirements are effective in helping your clients?
 - a. Yes
 - b. Somewhat
 - c. No
- 3. When the reasonable diligence requirements are effective in helping your clients, why do you think they are effective? (for each, responses range from 1-5 (Never → Always) + N/A):
 - a. They help your clients understand what documents and information the servicer requires for a complete application.
 - b. They prompt your clients to submit additional documents and information for the loss mitigation application.
 - c. They help your clients complete a loss mitigation application.
 - d. They help your clients resolve the delinquency without a foreclosure sale.
 - e. Other [open text box]
- 4. When the reasonable diligence requirements are NOT effective in helping your clients, how often is it due to the following? (for each, responses range from 1-5 (Never → Always) + N/A)

- a. The servicer is not reasonably diligent in attempting to reach the client.
 - b. The servicer does not communicate what documents and information the client must provide to complete the application.
 - c. The servicer does not adequately communicate with consumers who have limited English proficiency.
 - d. The client is unresponsive to the servicer's reasonable diligence efforts.
 - e. Other problems with early intervention or loss mitigation mean reasonable diligence rules are not making a difference.
5. Compare 2015-2016 to the period before the rules took effect on January 10, 2014. Have the reasonable diligence requirements IMPROVED outcomes for your clients?
- a. 1-5 (No improvement → Large improvement)
 - b. If you saw any improvement, what outcomes improved? [Open text box]
6. If you have observed NO improvement (or little improvement) in borrower outcomes since the rule took effect, why do you think that is the case?
- a. Many servicers already followed a similar policy before the rule.
 - b. The rule isn't helping borrowers for one or more of the reasons identified in question 4.
 - c. Some other reason [open text box].
7. Do you have other comments on the effectiveness of the reasonable diligence rules?
- a. [Open text box.]

VIII. **Loss mitigation: restrictions on beginning the foreclosure process.** Generally, the 2014 Mortgage Servicing Rule prohibits the servicer from: (1) beginning foreclosure proceedings before the borrower is more than 120 days delinquent or (2) beginning foreclosure proceedings if a borrower timely submits a complete loss mitigation application even after the 120 day period (i.e. dual tracking).

1. When you counsel clients on mortgage servicing matters, how common is it for you to discuss the restrictions on beginning a foreclosure action?
 - a. Never
 - b. Only in a few cases
 - c. In many cases but not most
 - d. In most cases
2. Do you think these restrictions are in effective helping your clients?
 - a. Yes
 - b. Somewhat
 - c. No

3. When these restrictions are effective in helping your clients, why do you think they are effective? (for each, responses range from 1-5 (Never → Always) + N/A):
 - a. They help your clients initiate a loss mitigation application.
 - b. They help your clients complete a loss mitigation application.
 - c. They help your clients obtain loss mitigation.
 - d. It helps your clients resolve the delinquency without a foreclosure sale.
 - e. Other [open text box]

4. When these restrictions are NOT effective in helping your clients, how often is it due to the following? (for each, responses range from 1-5 (Never → Always) + N/A)
 - a. The servicer does not follow these rules.
 - b. The client does not act promptly enough to complete a loss mitigation application before the 120-day period expires and the servicer begins foreclosure proceedings.
 - c. The servicer makes it difficult for the client to complete an application.
 - d. Other problems with early intervention or loss mitigation mean the dual-tracking prohibitions are not making a difference.

5. Compare 2015-2016 to the period before the rules took effect on January 10, 2014. Have these restrictions IMPROVED outcomes for your clients?
 - a. 1-5 (No improvement → Large improvement)
 - b. If you saw any improvement, what outcomes improved? [Open text box]

6. If you have observed NO improvement (or little improvement) in borrower outcomes since the rule took effect, why do you think that is the case?
 - a. Many servicers already followed a similar policy before the rule.
 - b. The rule isn't helping borrowers for one or more of the reasons identified in question 4.
 - c. Some other reason [open text box].

7. Do you have other comments on the effectiveness of these restrictions?
 - a. [Open text box.]

IX. **Loss mitigation: restrictions on foreclosure sale.** Generally, the 2014 Mortgage Servicing Rule prohibits the servicer from moving for foreclosure judgment or order of sale or conducting a foreclosure sale if a borrower submits a complete application in a timely manner even after the foreclosure process has begun.

1. When you counsel clients on mortgage servicing matters, how common is it for you to discuss the restrictions on foreclosure sale?
 - a. 1-4 (Never
 - b. Only in a few cases
 - c. In many cases but not most

d. ; In most cases

2. Do you think this restriction is effective in helping your clients?
 - a. Yes
 - b. Somewhat
 - c. No
 3. When this restriction is effective in helping your clients, why do you think it is effective? (for each, responses range from 1-5 (Never → Always) + N/A):
 - a. It helps your clients initiate a loss mitigation application.
 - b. It helps your clients complete a loss mitigation application.
 - c. It helps your clients obtain loss mitigation.
 - d. It helps your clients resolve the delinquency without a foreclosure sale.
 - e. Other [open text box]
 4. When this restriction is NOT effective in helping your clients, how often is it due to the following? (for each, responses range from 1-5 (Never → Always) + N/A)
 - a. The servicer does not follow these rules.
 - b. The client does not act promptly enough to complete a loss mitigation application more than 37 days before a foreclosure sale.
 - c. The servicer makes it difficult for the client to complete an application.
 - d. Other problems with early intervention or loss mitigation mean the dual-tracking prohibitions are not making a difference.
 5. Compare 2015-2016 to the period before the rules took effect on January 10, 2014. Has this restriction IMPROVED outcomes for your clients?
 - a. 1-5 (No improvement → Large improvement)
 - b. If you saw any improvement, what outcomes improved? [Open text box]
 6. If you have observed NO improvement (or little improvement) in borrower outcomes since the rule took effect, why do you think that is the case?
 - a. Many servicers already followed a similar policy before the rule.
 - b. The rule isn't helping borrowers for one or more of the reasons identified in question 4.
 - c. Some other reason [open text box].
 7. Do you have other comments on the effectiveness of this restriction?
 - a. [Open text box.]
- X. **Loss mitigation: Evaluation of applications within 30 days.** The 2014 Mortgage Servicing Rule generally requires servicers to complete the evaluation within 30 days of receiving a complete loss mitigation application and provide a written notice stating the servicer's determination of which loss mitigation options, if any, it will offer the borrower.

1. When you counsel clients on mortgage servicing matters, how common is it for you to discuss the servicer's timeline for evaluating your client's application?
 - a. Never
 - b. Only in a few cases
 - c. In many cases but not most
 - d. In most cases
2. Do you think the 30-day evaluation timeline is effective in helping your clients?
 - a. Yes
 - b. Somewhat
 - c. No
3. When the 30-day evaluation timeline is effective in helping your clients, why do you think it is effective? (for each, responses range from 1-5 (Never → Always) + N/A):
 - a. It helps your clients timely obtain a decision on their complete loss mitigation application.
 - b. It helps your clients obtain loss mitigation offers.
 - c. It helps your clients resolve the delinquency before the servicer starts the foreclosure process.
 - d. Other [open text box]
4. When the 30-day evaluation timeline is NOT effective in helping your clients, how often is it due to the following? (for each, responses range from 1-5 (Never → Always) + N/A)
 - a. It takes significantly more than 30 days for the servicer to evaluate the application because there is a delay in receiving information from a third party.
 - b. It takes significantly more than 30 days for the servicer to evaluate the application and notify the client for some other reason.
 - c. The servicer timely notifies the client of its decision, but the client does not understand the determination letter.
 - d. The servicer timely notifies the client of its decision, but does not offer any options that are helpful to the client.
 - e. Other problems with early intervention or loss mitigation mean the 30-day evaluation timeline is not making a difference.
5. Compare 2015-2016 to the period before the rules took effect on January 10, 2014. How much has the 30-day evaluation timeline IMPROVED outcomes for your clients?
 - a. 1-5 (No improvement → Large improvement)
 - b. If you saw any improvement, what outcomes improved? [Open text box]
6. If you have observed NO improvement (or little improvement) in borrower outcomes since the rule took effect, why do you think that is the case?
 - a. Many servicers already followed a similar policy before the rule.

- b. The rule isn't helping borrowers for one or more of the reasons identified in question 4.
 - c. Some other reason [open text box].
7. Do you have other comments on the effectiveness of the 30-day evaluation timeline?
- a. [Open text box.]

XI. **Loss mitigation: evaluating complete applications.** With certain exceptions, the 2014 Mortgage Servicing Rule prohibits servicers from evaluating a loss mitigation application that is not yet "complete." (A "complete" application is one that includes all information from the borrower that the servicer needs to evaluate for available loss mitigation options at one time.)

1. When you counsel clients on mortgage servicing matters, how common is it for you to discuss the rule against evaluating incomplete applications?
 - a. Never
 - b. Only in a few cases
 - c. In many cases but not most
 - d. In most cases
2. Do you think this rule is effective in helping your clients?
 - a. Yes
 - b. Somewhat
 - c. No
3. When this rule is effective in helping your clients, why do you think it is effective? (for each, responses range from 1-5 (Never → Always) + N/A):
 - a. It helps your clients understand their options.
 - b. It helps your clients obtain loss mitigation.
 - c. It helps shorten the loss mitigation application timeline.
 - d. It helps your clients resolve the delinquency without a foreclosure sale.
 - e. Other [open text box]
4. When this rule is NOT effective in helping your clients, how often is it due to the following? (for each, responses range from 1-5 (Never → Always) + N/A)
 - a. The servicer does not follow the rule – it evaluates the application before it is complete.
 - b. The application is unnecessarily delayed because it takes a long time for the servicer to collect documents and information relating to all available loss mitigation options.
 - c. The servicer loses documents or makes duplicative requests for documents, which makes the process take a long time
 - d. Other problems with early intervention or loss mitigation mean the complete application rule is not making a difference.

5. Compare 2015-2016 to the period before the rules took effect on January 10, 2014. How much has the rule against evaluating incomplete applications IMPROVED outcomes for your clients?
 - a. 1-5 (No improvement → Large improvement)
 - b. If you saw any improvement, what outcomes improved? [Open text box]
 6. If you have observed NO improvement (or little improvement) in borrower outcomes since the rule took effect, why do you think that is the case?
 - a. Many servicers already followed a similar policy before the rule.
 - b. The rule isn't helping borrowers for one or more of the reasons identified in question 4.
 - c. Some other reason [open text box].
 7. Do you have other comments on the effectiveness of the rule against evaluating incomplete applications?
 - a. [Open text box.]
- XII. **Loss mitigation: appeals/challenges to the application decision.** The 2014 Mortgage Servicing Rule generally requires that, when a borrower submits a complete loss mitigation application at least 90 days before a foreclosure sale, the servicer must permit the borrower to challenge the decision to deny the homeowner for a trial or permanent loan modification (i.e. “appeal”).
1. When you counsel clients on mortgage servicing matters, how common is it for you to discuss the servicer’s appeal policies?
 - a. Never
 - b. Only in a few cases
 - c. In many cases but not most
 - d. In most cases
 2. Do you think the appeals rules are effective in helping your clients?
 - a. Yes
 - b. Somewhat
 - c. No
 3. When the appeals rules are effective in helping your clients, why do you think they are effective? (for each, responses range from 1-5 (Never → Always) + N/A):
 - a. They help the servicer correct an error in evaluating the complete loss mitigation application.
 - b. They help your clients obtain a loss mitigation option the servicer would have otherwise denied.
 - c. Other [open text box]

4. When the appeals rules are NOT effective in helping your clients, how often is it due to the following? (for each, responses range from 1-5 (Never → Always) + N/A)
 - a. The servicer does not permit or timely permit an appeal when required under the 2014 Mortgage Servicing Rule.
 - b. The servicer permits an appeal, but the client does not make an appeal.
 - c. The client makes an appeal, but the servicer wrongly denies the appeal.
 - d. The client makes an appeal but the appeal is denied (appropriately).
 - e. The servicer takes too long to review the appeal.
 - f. Other problems with early intervention or loss mitigation mean the appeals rules are not making a difference.
 5. Compare 2015-2016 to the period before the rules took effect on January 10, 2014. How much have the appeals rules IMPROVED outcomes for your clients?
 - a. 1-5 (No improvement → Large improvement)
 - b. If you saw any improvement, what outcomes improved? [Open text box]
 6. If you have observed NO or little improvement in borrower outcomes for your clients since the rule took effect, why do you think that is the case?
 - a. Many servicers already followed a similar policy before the rule.
 - b. The rule isn't helping borrowers for one or more of the reasons identified in question 4.
 - c. Some other reason [open text box].
 7. Do you have other comments on the effectiveness of the appeals rules?
 - a. [Open text box.]
- XIII. **Error Resolution.** The 2014 Mortgage Servicing Rule generally require that, within certain timeframes after a borrower sends a written request asking a servicer to resolve an error, servicers must correct the error or notify the borrower that no error occurred.
1. When you counsel clients on mortgage servicing matters, how common is it for you to discuss the servicer's error resolution practices?
 - a. Never
 - b. Only in a few cases
 - c. In many cases but not most
 - d. In most cases
 2. Do you think the error resolution rules are effective in helping your clients?
 - a. Yes
 - b. Somewhat
 - c. No
 3. When the error resolution rules are effective in helping your clients, why do you think they are effective? (for each, responses range from 1-5 (Never → Always) + N/A):

- a. They help your client resolve miscommunications with the servicer.
 - b. They help your client obtain information about the mortgage loan.
 - c. They help your client save time or money.
 - d. Other [open text box]
4. When the error resolution rules are NOT effective in helping your clients, how often is it due to the following? (for each, responses range from 1-5 (Never → Always) + N/A)
- a. The servicer does not follow this rule.
 - b. The client submits the written notice to an incorrect address.
 - c. The client incorrectly states an error occurred.
 - d. The servicer conducts an investigation but does not fix any error.
 - e. The servicer agrees on the facts stated by the homeowner, but does not agree that an error occurred.
5. Compare 2015-2016 to the period before the rules took effect on January 10, 2014. How much have the error resolution rules IMPROVED outcomes for your clients?
- a. 1-5 (No improvement → Large improvement)
 - b. If you saw any improvement, what outcomes improved? [Open text box]
6. If you have observed NO or little improvement in borrower outcomes for your clients since the rule took effect, why do you think that is the case?
- a. Many servicers already followed a similar policy before the rule.
 - b. The rule isn't helping borrowers for one or more of the reasons identified in question 4.
 - c. Some other reason [open text box].
7. Do you have other comments on the effectiveness of the error resolution rules?
- a. [Open text box.]

XIV. **Force-placed insurance.** The 2014 Mortgage Servicing Rule generally requires servicers to provide certain notifications to borrowers before charging the homeowner for force-placed insurance. “Force-placed insurance” is hazard insurance that the servicer obtains on behalf of the homeowner. If a borrower has an escrow account for payment of hazard insurance, the 2014 Mortgage Servicing Rule generally prohibits servicers from obtaining force-placed insurance if they can maintain the borrower’s existing hazard insurance coverage by advancing funds through the escrow account to pay the hazard insurance premiums.

1. When you counsel clients on mortgage servicing matters, how common is it for you to discuss the servicer’s force-placed insurance practices?
 - a. Never
 - b. Only in a few cases
 - c. In many cases but not most

- d. In most cases
2. Do you think the force-placed insurance requirements are effective in helping your clients?
 - a. Yes
 - b. Somewhat
 - c. No
 3. When the force-placed insurance requirements are effective in helping your clients, why do you think they are effective? (for each, responses range from 1-5 (Never → Always) + N/A):
 - a. They cause the homeowner to provide the servicer with proof of hazard insurance.
 - b. They cause the servicer to maintain the client's existing hazard insurance coverage rather than obtaining force-placed insurance.
 - c. They prevent the servicer from renewing an existing force-placed insurance policy because the homeowner provides proof of hazard insurance before an annual force-placed insurance policy is renewed.
 - d. Other [open text box]
 4. When the force-placed insurance rules are NOT effective in helping your clients, how often is it due to the following? (for each, responses range from 1-5 (Never → Always) + N/A)
 - a. The servicer does not send the force-placed insurance notice.
 - b. The servicer obtains force-placed insurance even though it could have maintained existing hazard insurance coverage.
 - a. The force-placed insurance notice is not understandable to clients who have limited English proficiency.
 - b. The force-placed insurance notice is not understandable to clients who understand English well.
 - c. The client is unable to obtain a hazard insurance policy or finds that the force-placed insurance policy is the most cost-effective option.
 - d. Other problems with the force-placed insurance requirements mean the rules are not making a difference.
 5. Compare 2015-2016 to the period before the rules took effect on January 10, 2014. How much have the force-placed insurance requirements IMPROVED outcomes for your clients?
 - a. 1-5 (No improvement → Large improvement)
 - b. If you saw any improvement, what outcomes improved? [Open text box]
 6. If you have observed NO or little improvement in borrower outcomes for your clients since the rule took effect, why do you think that is the case?
 - a. Many servicers already followed a similar policy before the rule.
 - b. The rule isn't helping borrowers for one or more of the reasons identified in question 4.

c. Some other reason [open text box].

7. Do you have other comments on the effectiveness of the force-placed insurance requirements?

a. [Open text box.]

XV. Among the provisions of the 2014 Mortgage Servicing Rule that this survey asked about above, which two do you think are most effective?

1. Early intervention – live contact
2. Early intervention – written notice
3. Loss mitigation application – written acknowledgment.
4. Loss mitigation – continuity of contact
5. Loss mitigation – reasonable diligence to obtain complete applications
6. Loss mitigation: restrictions on beginning the foreclosure process
7. Loss mitigation: restrictions on foreclosure sale if borrower submits a complete application
8. Loss mitigation: Evaluation of applications within 30 days
9. Loss mitigation: evaluating complete applications
10. Loss mitigation: appeals/challenges to the application decision
11. Error resolution
12. Force-placed insurance